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FAIRS Country Report

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FAIRS Country Report

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Report Highlights:

Customs clearance is a difficult bureaucratic process, as there is no transparent process for releasing goods under bond. In some cases preclearance is possible.

Executive Summary:

General Information:

Food Laws:

There are several Government ministries which support state's regulatory environment related to the country's enforcement practices and import policies for food and agricultural products. For example, the Ministry of Health monitors and regulates important sanitary and health issues related to imports of various food products, while the Ministry of Agriculture and Water Resources regulates plant protection and veterinary issues, and accordingly these two ministries have a large number of regulatory documents related to agricultural food products.

Uzstandard is the state Agency responsible for certification of various products, including food

products, and it also deals with food safety and quality, and issues different regulatory documents for the food industry.

In recent years, the GOU adopted several decrees and regulatory documents which have direct impact to imported and exported products. Below are few of these decrees:

GOU's decree No 153 of July 8, 2008, "on additional measures on strengthening control and stopping smuggling of wheat, wheat flour, rice and bread products.

Decree No 01-02/8-6, 52 dated March 2005 adopted by State Customs Committee, Ministry of Foreign Economic Relations and the State Tax Committee "on rules of importing tea into Uzbekistan by companies and private individuals'

Decree 1853, dated September 9, 2008, adopted jointly by Ministry of Foreign Economic Relations, Investments and Trade, Ministry of Economics, State Customs Committee and the Ministry of Finance "on approving the list of consumer products imported into Uzbekistan"

Sanitary and Phytosanitary Measures

Uzbekistan's Plant Quarantine Act (PQA) is based on the old Soviet model and generally conforms to the recommendations of the FAO International Plant Protection Convention (IPPC) as well as the rules and regulations of other countries. Uzbekistan's PQA is revised periodically to conform to developments in the field of Plant Protection and Plant Quarantine (PPQ). Uzbekistan bans the importation of certain seeds and planting materials to protect domestic agriculture from exotic pests and diseases. Seed imports must comply with minimum international quality standards. U.S. phytosanitary certificates are accepted by Uzbekistan for wheat, rice, soybeans and other bulk commodities.

Veterinary Regulations

On January 22, 2004, the GOU adopted new regulations on veterinary certificates issued for exporting, importing and transit of commodities, which are under control of the State Veterinary Department. This latest regulations were based on requirements of the International Veterinary Codex. In accordance with these new regulations, the following documents are necessary for importing and exporting agricultural commodities:

- A veterinary certificate issued by district/city veterinary departments for exported goods and by the Border Veterinary control post for importing goods;
- A veterinary certificate issued by the Border Veterinary control for exported products and the Veterinary Service of the exporting country for imported goods;
- A permit for import, export or transit is issued by the State's General Veterinary Inspector of Uzbekistan or by his deputy.

Labeling Requirements:

Uzbekistan has no uniform system of labeling. However, In accordance with Uzbek legislation on protection of consumer's rights, all products sold in the country must contain the following information in the Uzbek language:

- Name of the product;
- Manufacturer's name and contact information;
- Ingredients and 'best before' date (if applicable);
- User's manual (if needed); and cautions (if any).

Stickers are accepted, and can be applied in-country

Packaging and Container Regulations:

There are no unique packaging and container regulations. Every industry sets its own container size preferences. There are no special Municipal Waste Disposal Laws or product recycling regulations. The State Committee for Nature Protection has special regulations which stipulate the abovementioned issues.

Food Additive Regulations:

The Uzbekistan Agency for Standardization, Metrology and Certification is responsible for certification and standardization policy of the country, including food additive regulation. Below are links to English versions of several laws developed by this Agency:

[**Law of the Republic of Uzbekistan "On Products and Services Certification";**](#)

[**Law of the Republic of Uzbekistan "On Standardization";**](#)

[**Law of the Republic of Uzbekistan "On Metrology"**](#)

[**Law of the Republic of Uzbekistan "On the Consumers Rights Protection";**](#)

[**Law of the Republic of Uzbekistan "On the Foodstuffs Quality and Safety";**](#)

[**Cabinet of Ministers of the Republic of Uzbekistan Decree No. 342 dated 2002-10-03 «On Measures for Perfection of the Products and Services Standardization, Metrology and Certification System»;**](#)

[**Cabinet of Ministers of the Republic of Uzbekistan Decree No. 427 dated 2002-12-05 «On Realization of Measures for Perfection of the Consumer Goods Import to the Republic of Uzbekistan»;**](#)

[**Cabinet of Ministers of the Republic of Uzbekistan Decree No. 318 dated 2002-07-06 «On Further Measures for Rendering Product Certification Procedures»;**](#)

[**Cabinet of Ministers of the Republic of Uzbekistan Decree No. 409 dated 1994-08-12 «On the Adoption of the Products List subject to the Obligatory Certification, Order of the Certification Performance, import to the territory of Uzbekistan and export from**](#)

[its territory of goods for which certification of their safety is required»;](#)

Pesticides and Other Contaminants:

“Uzhimkommissiya” Agency under the Cabinet of Ministers of the Republic of Uzbekistan deals with pesticide/contaminant regulations. This Agency sets up the list of approved pesticides and also deals with their registration.

Other Regulations and Requirements:

Uzbekistan continues to use an arbitrary set of technical standards based on outdated Soviet methods. There are more than 65,000 normative documents regulating national standards. Standards for imported goods are subject to state registration in the branches of the Uzbek Agency for Standardization, Metrology and Certification (Uzstandard Agency). According to Uzbek legislation the following standard normative documents are applied in the country:

International (interstate, regional) standards;

- Uzbek National standards;
- Industrial standards;
- Technical specifications;
- Standards of the enterprise;
- National standards of the foreign countries; and
- Administrative-territorial standards.

Despite regulations to the contrary, customs officials routinely reject foreign certificates of conformity to these standards. Perishable goods are subject to burdensome sanitary tests, making it difficult, for example, for restaurants and hotels to use imported foodstuffs. Customs officials often take excess test samples of goods subject to technical standards for their own use

Standards Organizations

The Uzbekistan Agency for Standardization, Metrology and Certification is responsible for certification and standardization policy of the country. Industry standards are developed by industry regulating agencies.

Conformity Assessment

Testing and certifications are completed by the Center for Testing and Certification, together with territorial subdivisions and 73 accredited bodies. The Department for Conformance Acknowledgement and Technical Policy coordinates and gives general guidance for certification.

Product Certification

The list of imports subject to obligatory certification includes foodstuffs, alcohol and soft drinks, tobacco, minerals, metal products, fuels, crude oil and oil refinery products, fertilizers, perfumes, cosmetics and toiletries, poisons, plastics, rubber products, wooden products, paper products, textiles products, certain types of clothing, reactors, boilers, equipment for transportation other than railway, electronics, and toys. Uzbekistan does not have any mutual recognition agreements (MRAs) with U.S. organizations.

Accreditation

According to Uzbek legislation, the import of specific goods and services is subject to accreditation by the authorized ministries and agencies of the country. For example:

- The Ministry of Labor and Social Protection accredits professional activity of foreign employees;
- The Ministry of Culture accredits audio, video and film product importation; and
- The State Committee for Nature Protection accredits the import of substances with potential hazardous environmental implications.

Certain industries require their own accreditation labs, e.g. the Ministry of Health accredits all labs for testing imported medicines.

Publication and Technical Regulations

There are no printed guides to technical regulations. U.S. entities may direct inquiries to the Uzstandard Agency at its website: www.standart.uz. The website has a 'Questions and Answers' tool.

VII. COPYRIGHT AND/OR TRADEMARK LAWS

Trademark and brand names are protected under the domestic law adopted by GOU finally in 2006. It is called the law on copyrights and allied rights. The Uzbek Copyright Agency (UCA) became a standalone agency dealing with copyright issues after Uzbekistan gained independence in 1991.

IX. IMPORT PROCEDURES

The Ministry for Foreign Economic Relations, Investment and Trade requires all Uzbek enterprises engaged in export/import operations to be registered as participants in international trade relations. Uzbek companies or individuals are allowed to conduct trade with foreign enterprises directly or through foreign trade agents.

In October 1, 2003, preliminary registration of import contracts by the Ministry for Foreign Economic Relations, Investment and Trade was abolished. However, the following import contracts shall be subject to examination by the Ministry:

- Those funded from the state budget;
- Those funded from credits (loans) attracted by the Government of Uzbekistan or under its guarantee; and
- Those concluded by economic actors in whose authorized capital the public share constitutes over 50 percent, that are not secured by their own currency resources.

An importer must prepare and provide to the proper authorities the following documents:

- Contract;
- Certificate of conformity for certain products - the list of which is defined by the Cabinet of Ministers;
- Certificate of origin;
- Certificate on registration of the contract with the MFERIT and/or contract with the seal indicating registration with an authorized bank;
- Passport of an import deal (a document describing a contract on import and its terms, signed by the importer, a bank, and a customs officer);
- Certificate of the availability of funds in either foreign or domestic currency that would have no liabilities or a guarantee of an authorized bank, according to the established form, which confirms an importers ability to pay for a contract;
- Cargo customs declaration;
- Commercial invoice;
- Phytosanitary and veterinary certificates (issued in required cases by authorized bodies according to the established procedure);
- License (for the goods subject to licensing); and
- In necessary cases, permission from authorized banks.

Temporary Entry

Goods imported to the country temporarily must be declared under the Customs Service's temporary importation regime. Procedures and requirements regarding temporary imports depend on the purpose and terms of import. Under current legislation, firms are required to deposit the value of transiting goods with a local bank. The funds should be returned once the goods have transited, but recently businesses have complained that the funds were delayed or only partially returned.

Uzbek legislation establishes a list of products prohibited for transit through the territory of the Republic of Uzbekistan. This list includes: 1) armaments, ammunition and military equipment; 2) aircraft, and aircraft parts and equipment; 3) machinery designed for manufacturing armament, ammunition and aircraft; 4) explosives; 5) poisons; and 6) other items prohibited for import into Uzbekistan. The transit of the aforesaid products may, however, be carried out if transit authorization is issued by the Ministry for Foreign Economic Relations upon approval of the Cabinet of Ministers.

Customs regulations and contact information

Customs clearance is a difficult bureaucratic process. Even capital equipment imports for U.S. - Uzbek joint ventures are subject to substantial processing delays. Delays affect all imports, as there is no transparent process for releasing goods under bond. To avoid these problems, many firms contract for pre-shipment

inspections (PSI), which can reduce delays. Excessive documentation requirements make the customs clearance a costly and time-consuming process. In the absence of both a system of pre-arrival clearance and systematic risk analysis, customs clearance is only possible after physical inspection of the consignment.

The customs clearance process normally occurs in the territory where customs authority is located. However, if requested by the party concerned, customs clearances could be conducted in other locations. The Customs Code of Uzbekistan stipulates that customs formalities are to be performed within ten days after receipt of the customs declaration and other necessary documents. Goods may be declared by a person/legal entity moving/transferring the goods or a customs broker. The person/entity that declares the goods must fulfill all obligations and carries full responsibility provided under legislation regardless whether this person/entity is the importer or customs broker. A customs broker is a legal entity in Uzbekistan that conducts, on behalf of the person/entity that he represents, customs clearing operations and may fulfill other brokerage functions related to customs. Until recently, this activity was subject to licensing by the customs authorities. Currently, upon submission of a list of documents and application form, customs brokers are registered with the Customs Committee of Uzbekistan without the licensing procedure.

APPENDIX I. Government Regulatory Agency Contacts

Ministry for Foreign Economic Relations, Investment and Trade
Republic of Uzbekistan
Tel: [998] (71) 238-5100
Fax: [998] (71) 238-5200
E-mail: Secretary@mfer.uz
Website: www.mfer.uz

State Tax Committee of the Republic of Uzbekistan
Address: 13A, Abdulla Kadiri St., Tashkent 700011

Telephone: (998) +71 244-98-98

Fax: (998) +71 244-89-12

Email: solik@dostlink.net

Website: www.soliq.uz

Uzbekistan Agency for Standardization, Metrology and Certification - "Uzstandart"
Address: 333 "A" Farobiy St., Tashkent 700049

Telephone: (998) +71 244-96-01, (998)+71 246-85-07, 246-19-61

Fax: (998) +71 244-80-28, 244-80-29, 244-80-31

Email: uzst@standart.uz

Web Site: standart.gov.uz, www.standart.uz

State Customs Committee of the Republic of Uzbekistan
Address: 3, Uzbekistan Ave., Tashkent

Telephone: (998) +71 120-76-31, 120-76-41

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